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Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/733,332 | YAMADA ET AL. | |
| | Examiner | Art Unit | |
| | Michael W. Hoye | 2614 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 December 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 100 (Fig. 1). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to because in Fig. 5, step S36, should read –CHECK SOLD OUT INFORMATION--. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be

necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

2. The disclosure is objected to because of the following informalities: on page 37, line 17; "step S19" should be --step S23--.

Appropriate correction is required.

### *Claim Objections*

3. Claim 5 is objected to because of the following informalities: the word "view" in line 22 appears to be a typographical error and should be --viewer--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6, 9-11, 13-14, 16-17, 19-20, 22, 26 and 28-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said transmitted transmission data" in line 7. There is insufficient antecedent basis for this limitation in the claim. Similar occurrences are found in claim 10, lines 19-20; claim 16, lines 15-16; claim 19, lines 3-4; claim 20, lines 16-17; and claim 22, line 22.

Claim 1 recites the limitation "said received transmission data" in lines 12-13 and lines 13-14. There is insufficient antecedent basis for this limitation in the claim. Similar occurrences are found in claim 2, lines 24-25 and line 25 – line 1 of pg. 46; claim 3, lines 10-11 and lines 11-12; claim 4, line 17; claim 5, line 25 – line 1 of pg. 47; claim 6, lines 11-12; claim 9, lines 6-7; claim 10, line 6 and line 7; claim 11, lines 19-20; claim 13, line 10; claim 14, line 21; claim 16, lines 22-23; claim 17, line 10; claim 19, line 10 and line 12; claim 20, lines 23-24 & line 25 – pg. 55, line 1; claim 26, lines 9-10 and 11; claim 28, lines 24-25; claim 29, lines 7-8; claim 30, lines 13-14; claim 31, lines 20-21; and claim 32, lines 25 – pg. 59, line 1.

### *Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1-4, 6-12, 14-28 and 30-39 are rejected under 35 U.S.C. 102(a) as being anticipated by Bar-El (WO 99/26415), cited by the Examiner.

As to claim 1, note the Bar-El reference which discloses a data transmission method. The claimed step of transmitting transmission data containing content data and auxiliary data

provided for signal processing at the viewer end is met by the video sequence data, the video parameters data, and the personalized data, which are transmitted from the video server 11 to the user computer 12 as shown in Figs. 6 and 7 (see pg. 17, line 3 – pg. 18, line 5). The claimed step of receiving said transmitted transmission data at said viewer end is met by the user computer 12 receiving all of the data as described above (pg. 17, line 10 – pg. 18, line 5). The claimed step of performing a second signal processing using content data of the result of a desired first signal processing performed based on data recorded in advance and said content data contained in said received transmission data based on said auxiliary data contained in said received transmission data to create new output content data, and outputting the output content data is met by the video unit 14 and video personalization module 62, which reside on the client side of the network or user computer 12 as described in the section above, also see pg. 14, line 8 – pg. 16, line 21 and Fig. 4 for a more detailed description of the processing that occurs in a video personalization module.

As to claim 2, the claimed said transmission data contains said content data and command data for controlling said second signal processing at the viewer end is met by the video sequence and video parameters (or video stream), and the personalized data as described above in claim 1 (also see pg. 12, lines 3-15). The claimed said second signal processing is performed using content data of the result of said first signal processing is met by the video personalization module 62 receiving the content data from the processing performed at the video server 10, which includes the processing performed by the video controller 24 and object storage 22 (see Figs. 2, 4, 6 and 7) and the claimed said content data contained in said received transmission data based on command data contained in said received transmission data to create new output

content data at said viewer end is met by the processing performed by the mixer 44 (pg. 16, lines 8-10) that is located in the video personalization module 62 (pg. 17, lines 5-13), where the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 3, the claimed said transmission data further contains any data provided for creation of said output content data at the viewer end is met by the data transmitted to the user computers 12 as described above. The claimed said second signal processing is performed using the content data of the result of said first signal processing and said any data contained in said received transmission data based on a command contained in said received transmission data to create new output content data is met by the personalized data and video parameters which is used to create the new output content data as described above as well.

As to claim 4, the claimed said viewer end combines content data of the result of said first signal processing and said content data contained in said received transmission data to create new output content data is met by the mixer 44 (pg. 16, lines 8-10) that is located in the video personalization module 62 (pg. 17, lines 5-13), where the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 6, the claimed said transmission data contains advertisement data as one or both of said content data and auxiliary data and said viewer end combines content data of the result of said first signal processing and said advertisement data contained in said received transmission data to create and output content data is met by the data that is transmitted to the user computer as described above may comprise advertisement data (see pg. 7, lines 4-10).

As to claim 7, the claimed said transmission data contains a plurality of said advertisement data and said viewer end selectively combines one or more of any of said plurality

of advertisement data with content data of the result of said first signal processing is met by the data provided to the mixer (see pg. 11, line 20 – pg. 12, line 15), where the mixer 44 (pg. 16, lines 8-10) is located in the video personalization module 62 (pg. 17, lines 5-13), and the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 8, the claimed steps of transmitting data from said viewer end to transmitting end and creating content data for transmission based on said transmitted data at the transmitting end is met by user input being transmitted to the video server 11 from the user computer 12 (see Figs. 6 and 7; pg. 7, lines 8-10 and 17-19; pg. 8, lines 19-24; pg. 9, lines 10-18).

As to claim 9, the claimed said transmission data contains command data for controlling said first signal processing at the viewer end, said first signal processing is controlled at said viewer end based on commands contained in said received transmission data, and said output content data is created based on content data of the result of said controlled first signal processing is met by the user's input/viewer profile information that is sent to the video server as previously described above.

As to claim 10, note the Bar-El reference which discloses the claimed data transmission system having a transmitter for transmitting transmission data and a plurality of viewer apparatuses for receiving the transmitted data as met by the video server 11 and user computers 12, as shown in Figs. 6 and 7, where the video server transmits video sequence data, video parameters data, and personalized data to the user computer 12 (see pg. 17, line 3 – pg. 18, line 5) through the video controller 24 and object storage 22 (see Fig. 2 as related to Figs. 6 and 7). The claimed said transmitter transmits transmission data containing content data and auxiliary data provided for the processing in said viewer apparatuses is met by the video server 11 and

user computers 12 as described above. The claimed each said viewer apparatus comprises a receiving means for receiving said transmitted transmission data is met by the video unit 14 and video personalization module 62 as shown in Figs. 6 and 7. The claimed operating means for the viewer to perform an operation and outputting an operation signal based on the related operation is met by a pointing device 16 or keyboard (see Figs. 1, 6 and 7, and pg. 9, lines 1-18). The claimed first signal processing means for performing a desired signal processing according to software stored in advance and said operation signal to output content data including video data is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4). The claimed second signal processing means for performing a predetermined processing on the content data output from said first signal processing means and said content data contained in said received transmission data using said auxiliary data contained in said received transmission data so as to create output content data is met by the video personalization module (see Figs. 1, 4, 6 and 7), and more specifically the mixer 44 located within the video personalization module (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21). The claimed outputting means for outputting said created output content data is met by monitor 28 (see Figs. 1, 6 and 7).

As to claim 11, the claimed data transmission system as set forth in claim 10, wherein said transmission data contains said content data and command data for controlling said second signal processing means of said viewer apparatus is met by the video sequence and video parameters (or video stream), and the personalized data as described above in claim 1 (also see pg. 12, lines 3-15). The claimed said second signal processing means of said viewer apparatus

performs signal processing based on said command data on content data of the result of said first signal processing is met by the video personalization module 62 receiving the content data from the processing performed at the video server 10, which includes the processing performed by the video controller 24 and object storage 22 (see Figs. 2, 4, 6 and 7), and the claimed said content data contained in said received transmission data to create said output content data is met by the processing performed by the mixer 44 (pg. 16, lines 8-10) that is located in the video personalization module 62 (pg. 17, lines 5-13), where the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 12, the claimed said viewer apparatus further has a transmitting means for transmitting desired data to said transmitter and said transmitter prepares content data for transmission based on said transmitted data is met by user input being transmitted to the video server 11 from the user computer 12 (see Figs. 6 and 7; pg. 7, lines 8-10 and 17-19; pg. 8, lines 19-24; pg. 9, lines 10-18).

As to claim 14, the claimed said transmission data contains advertisement data as one or both of said content data and auxiliary data and said second signal processing means of said viewer apparatus combines content data output from said first signal processing means and advertisement data contained in said received transmission data to create and output content data is met by the data that is transmitted to the user computer as described above may comprise advertisement data (see pg. 7, lines 4-10).

As to claim 15, the claimed said transmission data contains a plurality of advertisement data and said second signal processing means of said viewer apparatus selectively combines one or more of any of the plurality of advertisement data with content data output from said first

signal processing means is met by the data provided to the mixer (see pg. 11, line 20 – pg. 12, line 15), where the mixer 44 (pg. 16, lines 8-10) is located in the video personalization module 62 (pg. 17, lines 5-13), and the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 16, note the Bar-El reference which discloses the claimed data transmission system having a transmitter for transmitting transmission data and a plurality of viewer apparatuses for receiving the transmitted data as met by the video server 11 and user computers 12, as shown in Figs. 6 and 7, where the video server transmits video sequence data, video parameters data, and personalized data to the user computer 12 (see pg. 17, line 3 – pg. 18, line 5) through the video controller 24 and object storage 22 (see Fig. 2 as related to Figs. 6 and 7). The claimed said transmitter transmits transmission data containing content data including video data and command data for controlling the receiver end viewer apparatuses is met by the video server 11 and user computers 12 as described above. The claimed each said viewer apparatus comprises a receiving means for receiving said transmitted transmission data is met by the video unit 14 and video personalization module 62 as shown in Figs. 6 and 7. The claimed signal processing means for performing desired signal processing according to software stored in advance and operations of the viewer and outputting content data including video data is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4). The claimed signal combining means for combining the video data of said content data contained in said received transmission data with a predetermined region of the video data of the content data output from said signal processing means to create

said output content data containing new video data is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21). The claimed outputting means for outputting said created output content data is met by monitor 28 (see Figs. 1, 6 and 7).

As to claim 17, the claimed said content data contained in said transmission data is data relating to an advertisement and said signal combining means of said viewer apparatus combines video data relating to said advertisement contained in said received transmission data with a predetermined region of video data of content data output from said first signal processing means to create said output content data containing new video data is met by the data that is transmitted to the user computer as described above may comprise advertisement data (see pg. 7, lines 4-10).

As to claim 18, the claimed said transmission data contains a plurality of advertisement data and said signal combining means of said viewer apparatus selectively combines one or more of any of said plurality of advertisement data with content data output from said first signal processing means is met by the data provided to the mixer (see pg. 11, line 20 – pg. 12, line 15), where the mixer 44 (pg. 16, lines 8-10) is located in the video personalization module 62 (pg. 17, lines 5-13), and the personalization module 62 provides output to a user television (pg. 18, lines 3-5 and Figs. 6 & 7).

As to claim 19, note the Bar-El reference which discloses the claimed information processing method comprising the steps of having the transmitting end create content data and transmit transmission data containing the content data and auxiliary data provided for the signal processing on the viewer end as met by the video sequence data, the video parameters data, and the personalized data, which are transmitted from the video server 11 to the user computer 12 as shown in Figs. 6 and 7 (see pg. 17, line 3 – pg. 18, line 5). The claimed step of having a viewer

end receive said transmitted transmission data is met by the user computer 12 receiving all of the data as described above (pg. 17, line 10 – pg. 18, line 5). The claimed perform a desired first signal processing performed based on data stored in advance at the viewer end is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4). The claimed process the content data obtained as the result of said first signal processing and said content data contained in said received transmission data by second signal processing using said auxiliary data contained in said received transmission data to create new output content data is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21). The claimed output the output content data is met by monitor 28 (see Figs. 1, 6 and 7). The claimed transmit data of at least one of the result of said first signal processing and the result of said second signal processing from said viewer end to the transmitting end is met by user input being transmitted to the video server 11 from the user computer 12 (see Figs. 6 and 7; pg. 7, lines 8-10 and 17-19; pg. 8, lines 19-24; pg. 9, lines 10-18). The claimed having said transmitting end perform a desired information processing based on said transmitted data to create content data for transmission based on said information processing result is met by the video server 11 gathering information regarding the responses of users to the various advertising images which the personalization system 10 implants and updating the user's profile in order to transmit images to the user based on their profile and selections (see pg. 9, line 10 – pg. 12, line 15).

As to claim 20, note the Bar-El reference which discloses the claimed information processing system having a transmitter for transmitting transmission data and a plurality of viewer apparatuses for receiving the transmitted data as met by the video server 11 and user

computers 12 as shown in Figs. 6 and 7. The claimed said transmitter has a content data creating means for creating the content data is met by the video controller 24 and object storage 22 as shown in Fig. 2. The claimed transmitting means for transmitting transmission data containing said created content data and auxiliary data provided for signal processing on the viewer end is met by the video sequence data, the video parameters data, and the personalized data, which are transmitted from the video server 11 to the user computer 12 as shown in Figs. 6 and 7 (see pg. 17, line 3 – pg. 18, line 5). The claimed information processing means for performing a desired information processing based on the data transmitted from said viewer apparatuses is met by the user identifier 20 and user database 21 as shown in Fig. 2 (pg. 10, line 3 – pg. 11, line 13). The claimed said content data creating means creates said content data to be transmitted based on said information processing result is met by the video controller 24 and object storage 22 as described above (see pg. 10, line 14 – pg. 12, line 9 for further details). The claimed said each of said viewer apparatuses has a receiving means for receiving said transmitted transmission data is met by the user computer 12 receiving all of the data as described above (pg. 17, line 10 – pg. 18, line 5). The claimed first signal processing means for performing a desired first signal processing based on data stored in advance is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4). The claimed second signal processing means for processing the content data obtained as the result of said first signal processing and said content data contained in said received transmission data by second signal processing using said auxiliary data contained in said received transmission data to create new output content data is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line

21). The claimed outputting means for outputting said created output content data is met by monitor 28 (see Figs. 1, 6 and 7). The claimed transmitting means for transmitting at least one of the result of said first signal processing and the result of said second signal processing to said transmitter is met by user input being transmitted to the video server 11 from the user computer 12 (see Figs. 6 and 7; pg. 7, lines 8-10 and 17-19; pg. 8, lines 19-24; pg. 9, lines 10-18).

As to claim 21, note the Bar-El reference which discloses the claimed data transmitter having a transmission data creating means for creating transmission data containing content data and auxiliary data provided for predetermined signal processing in a viewer apparatus as met by the video controller 24 and object storage 22 as shown in Fig. 2, where video sequence data, video parameters data, and personalized data are transmitted from the video server 11 to the user computer 12 as shown in Figs. 6 and 7 (see pg. 17, line 3 – pg. 18, line 5). The claimed transmitting means for transmitting said created transmission data to a plurality of viewer apparatuses is met by the video server 11 and user computers 12 as shown in Figs. 6 and 7.

As to claim 22, the claimed viewer apparatus is a predetermined apparatus which performs a desired first signal processing in accordance with software stored in advance is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4) and the viewer apparatus is predetermined through a unique identification used by the server (see pg. 10, line 3 – pg. 12, line 15). The claimed performs a predetermined second signal processing on content data obtained from said first signal processing and content data contained in said transmitted transmission data is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21). The claimed outputs output contents data

obtained as a result of said signal processing is met by monitor 28 (see Figs. 1, 6 and 7). The claimed said transmission data creating means creates said transmission data containing command data for controlling one or both of the first signal processing and second signal processing in said auxiliary data is met by the video personalization module 62 receiving the content data from the processing performed at the video server 10, which includes the processing performed by the video controller 24 and object storage 22 (see Figs. 2, 4, 6 and 7).

As to claim 23, the claimed data transmitter...further provided with a receiving means for receiving data transmitted from said viewer apparatuses is met by user identifier 20 in video server 10 as shown in Fig. 2. The claimed computer means for collecting received data transmitted from a plurality of said viewer apparatuses and performing a desired computation, and wherein said transmission data creating means creates said transmission data based on said received data or the result of said computation is met by the user identifier 20 and user database 21 working in conjunction with object storage 22, video controller 24 and video analyzer 25 as shown in Fig. 2 (see pg. 10, line 3 – pg. 12, line 23).

As to claim 24, the claimed data transmitter...wherein said transmission use creating means creates said transmission data containing program data containing video data and information for replacing a predetermined object in said video data with another object is met by the video controller 24 and object storage 22 as shown in Fig. 2 (pg. 11, line 6 – pg. 12, line 15).

As to claim 25, the claimed data transmitter...wherein said transmission data creating means has one or more advertisement data of a form for viewing combined with any video data as one or both of said content data and auxiliary data is met by the objects as previously

described above may comprise an advertisement or multiple advertisements (pg. 7, lines 2-10 and pg. 8, lines 11-14).

As to claim 26, note the Bar-El reference which discloses the claimed signal processor for receiving transmitted transmission data containing content data and predetermined auxiliary data as met by the video personalization module as shown in Figs. 6 and 7, which receives the video sequence data, the video parameters data, and the personalized data, which are transmitted from the video server 11 to the user computer 12 as shown in Figs. 6 and 7 (see pg. 17, line 3 – pg. 18, line 5). The claimed receiving means for receiving said transmitted transmission data is met by the user computer 12 receiving all of the data (pg. 17, line 10 – pg. 18, line 5). The claimed first signal processing means for performing a desired signal processing according to software stored in advance and operations of a viewer and outputting content data containing video data is met by the video personalization module 62 (as shown in Figs. 6 and 7), which further comprises the video personalization scheduler 42, the image adapter 40, the personalized data storage 38, and the mixer 44 (as shown in Fig. 4). The claimed second signal processing means for processing the content data output from said first signal processing means and said content data contained in said received transmission data by predetermined processing using said auxiliary data contained in said received transmission data to create output content data is met by is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21). The claimed outputting means for outputting said created output content data is met by monitor 28 (see Figs. 1, 6 and 7).

As to claim 27, the claimed signal processor...wherein one or both of said first signal processing means and said second signal processing means controls processing based on command data contained in said auxiliary data of said transmission data is met by the user

computers 12, as shown in Figs. 6 and 7, where the video server 11 transmits video sequence data, video parameters data, and personalized data to the user computer 12 (see pg. 17, line 3 – pg. 18, line 5) through the video controller 24 and object storage 22 (see Fig. 2 as related to Figs. 6 and 7).

As to claim 28, the claimed said second signal processing means combines video data of content data output from said first signal processing means with a predetermined region of video data of said content data contained in said received transmission data to create output content data containing new video data is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21).

As to claim 30, the claimed said second signal processing means combines video data of said content data contained in said received transmission data with a predetermined region of video data of content data output from said first signal processing means is met by the mixer 44 (see Fig. 4 and pg. 14, line 8 – pg. 16, line 21).

As to claim 31, the claimed said second signal processing means combines content data output from said first signal processing means and advertisement data contained in said received transmission data to create output content data is met by the mixer as described above and the data that is transmitted to the user computer as described above may comprise advertisement data (see pg. 7, lines 4-10).

As to claim 32, the claimed said second signal processing means combines selectively one or more of any of a plurality of advertisement data contained in said received transmission data with content data output from said first signal processing means is met objects processed by

the mixer as described above, which may comprise an advertisement or multiple advertisements (pg. 7, lines 2-10, pg. 8, lines 11-14 and pg. 11, line 6 – pg. 12, line 15).

As to claim 33, the claimed transmitting means for transmitting desired data to a source of transmission of said transmission data is met by the video unit 14 (Figs. 6 and 7), which may transmit data back to the video sever 11, for example, user input may be transmitted to the video server 11 from the user computer 12 (see pg. 7, lines 8-10 and 17-19; pg. 8, lines 19-24; pg. 9, lines 10-18).

As to claim 34, note the Bar-El reference, which discloses a content data processing method. The claimed steps of receiving as input first content data obtained from a first medium is met by the video stream that is sent from the video controller 24 and obtained from either real-time video or stored video (see Fig 2 and pg. 11, line 20 – pg. 12, line 3), the claimed second content data obtained from a second medium is met by various images to be inserted into the videos which are sent from object storage 22 (Fig. 2 and pg. 11, lines 8-9), and the claimed auxiliary data provided for signal processing obtained from a third medium different from said second medium is met by the video parameters which are sent from the video controller 24 and video analyzer 25 to the video personalization module 26 and into the mixer 44 (see Figs. 2, 4, 6 and 7, and pg. 11, line 20 – pg. 12, line 9), and the claimed performing signal processing with respect to at least said second content data by using said auxiliary data to create third content data is met by the video personalization module 26 and mixer 44 contained within the video personalization module 26 (see Figs. 2 and 4, pg. 15, line 22 – pg. 17, line 13).

As to claim 35, the claimed data content processing method as set forth in claim 34, wherein each of said media is one of a wireless, wired, and physical storage medium is met by

the object storage 22 as described above being a physical storage medium and the other mediums may comprise cable, satellite, Internet or telephone networks (see pg. 7, lines 13-19 and pg. 18, lines 3-5).

As to claim 36, note the Bar-El reference, which discloses a data serving method. The claimed step of providing first content data is met by the video stream that is sent from the video controller 24 and obtained from either real-time video or stored video (see Fig 2 and pg. 11, line 20 – pg. 12, line 3), the claimed second content data is met by various images to be inserted into the videos which are sent from object storage 22 (Fig. 2 and pg. 11, lines 8-9), and the claimed auxiliary data for controlling signal processing performed with respect to at least said second content data to create new content data to terminal apparatus is met by the video parameters which are sent from the video controller 24 and video analyzer 25 to the video personalization module 26 and into the mixer 44 (see Figs. 2, 4, 6 and 7, and pg. 11, line 20 – pg. 12, line 9).

As to claim 37, the claimed said first content data and said second content data are provided to a terminal apparatus through different media is met by the real-time video provided for the first content data and the images provided from object storage as described above in claim 36 and as shown in Fig. 2 and the embodiments represented in Figs. 6 and 7.

As to claim 38, the claimed said first content data and said second content data are provided to a terminal apparatus through the same medium is met by the embodiment shown in Figs. 1 and 2, where the video personalization module(s) 26 are also located at the video sever 10, where all the content is sent via the same medium to the user computers 12 or set-top boxes.

As to claim 39, said second content data are provided before providing said first content data is met by the embodiments shown in Figs. 6 and 7, where the images may be sent in

advance to the user computers 12 and stored in the personalized data storage 38 (pg. 14, lines 11-13).

*Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 5, 13 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bar-El in view of Sitrick (USPN 6,425,825), cited by the Examiner.

As to claim 5, the Bar-El reference discloses the claimed data transmission method as described in claim 4 above. However, the Bar-El reference does not explicitly disclose that the content data of the result of said first signal processing at the viewer end contains data of any game character and said viewer end replaces video data of a predetermined object contained in said received transmission data with data of the game character of the result of said first signal processing to create new output content data. The Sitrick reference teaches a system and methodology where replacement predefined character images and existing game display functions, including user visual images such as, a "newscaster", a "cameo guest", or a "synthetic actor" with predetermined actions, may be utilized in association with predefined game character and game display functions (col. 13, lines 35-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of the Bar-El reference, which teaches a data transmission method for replacing objects such as

advertisement images in the output received by a user, with the additional teachings of the Sitrick reference which teaches the features of replacing a predefined object with a game character for the advantage of allowing a user to interactively select various types of game characters for use in their game system One of ordinary skill in the art would have been led to make such a modification for the advantages given above specifically for use with an interactive television/computer game system.

As to claim 13, the claim is rejected based on similar grounds as the rejection of claim 5 above.

As to claim 29, the claim is rejected based on similar grounds as the rejection of claim 5 above.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bauminger et al (USPN 6,681,393 B1) – Discloses a viewer interaction feedback method and system for use with an interactive telecommunication system.

Butler et al (US 2002/0007493) – Discloses providing enhanced content with broadcast video.

DiCicco et al (USPN 5,892,554 A) – Discloses a system and method for inserting static and dynamic images into a live video broadcast.

Eilat et al (USPN 6,227,974 B1) – Discloses an interactive game system.

Gerba et al (USPN 6,445,398 B1) – Discloses a method and system for providing user interface for electronic program guide.

Portuesi (USPN 5,987,509 A) – Discloses a system and method for display active uniform network resource locations during playback of a media file or media broadcast.

Slaney et al (US 2002/0062481 A1) – Discloses a method and system for selecting advertisements.

Watts et al (USPN 6,324,694 B1) – Discloses a method and apparatus for providing subsidiary data synchronous to primary content data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoye whose telephone number is (571) 272-7346. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(571) 272-2600**.

Michael W. Hoye
March 2, 2005

JOHN MILLER
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